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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/840,180	04/24/2001	Hiroyuki Miyake	206347US3	2638

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ALEXANDRIA, VA 22314

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/840,180

Applicant(s)

MIYAKE, HIROYUKI

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/9/2005 has been entered.

### ***Response to Amendment***

2. This office action is in response to the amendment filed 6/9/2005. Accordingly, claim 1 is canceled and claims 2-17 are pending for examination.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Sekikawa et al (JP 10042383A hereinafter Sekikawa), and further in

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view of Robb (US PAT. 6,177,950) or Maruyama et al. (US PAT. 6,760,074 hereinafter Maruyama).

Regarding claim 2, Applicant's admitted prior art figure 12 discloses a holder comprising a first component holding unit (20) configured to hold an image pickup device on a main surface of a board (4) and a second component holding unit (20) configured to hold another component on the main surface at a location different from a location of the first component holding unit. Applicant's admitted prior art differs from the claimed invention in not specifically teaching the first and second component units being formed as a single piece. However, Sekikawa teaches a holder member (5, figure 3) having a first holder part (6, figure 3) for holding a first component (3, figure 3) and a second holder part (7, figure 3) for holding a second component (4, figure 3), wherein the first holder part and the second holder part are integrally molded (abstract and detailed description) so that one skill in the art would recognize the first and second component units being formed as a single piece in order to reduce components mark and makes easy to position and assembly of each part material. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Applicant's admitted prior art in having the first and second component units being formed as a single piece, as per teaching of Sekikawa, because it reduce components mark and makes easy to position and assembly of each part material. In addition, it is old and notoriously well known in the art of no invention to cast in one piece an article, which has formerly been cast in two pieces and put together, because it is merely a modification of the technique or knowledge know before the filing of the present application. In re Larson, 144 USPQ 347 (CCPA 1965), In re Lockhart, 90 USPQ 214 (CCPA 1951) and Howard v. Detroit Strove Works, 150 U.S. 164 (1893).

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Furthermore, neither Applicant's admitted prior art nor Sekikawa specifically teaches the first component holding unit being configured to hold the image pickup device in a region without opening on the main surface of the broad so that the first component holding unit is configured to hold a central substantial portion of the surface of the image pickup device in direct contact to the main surface. However, it is old and notoriously well known in the art of easily implementing function extension on a portable device without impairing portability by mounting a camera with a main board in a manner that a central substantial portion of a surface of the camera in direct contact to a main surface of the main board, wherein the camera is hold in a region without opening on the main surface of the main board, see Robb (figure 6 and col. 10 lines 33-40) or see Maruyama (figures 2 and 6A, and col. 7 lines 29-31 and col. 10 line 1-6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Applicant's admitted prior art and Sekikawa in having the first component holding unit being configured to hold the image pickup device in a region without opening on the main surface of the broad so that the first component holding unit is configured to hold a central substantial portion of the surface of the image pickup device in direct contact to the main surface, as per teaching of Robb or Maruyama, in order to provide a portable device, which can easily implement function extension without impairing portability.

Regarding claims 3-4, Applicant's admitted prior art discloses first component holding unit in a frame shape configured to surround and hold a periphery of the solid-state image pick-up element with upper surfaces opened (figure 13A). Although the combination of Applicant's admitted prior art and Sekikawa does not specifically teach the holding unit with bottom surface opened, Robb teaches to directly mount the image pickup device (2, figure 6) to the printed

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circuit board (91, figure 6), as well as Maruyama (figures 2 and 6A, and col. 7 lines 29-31 and col. 10 line 1-6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Applicant's admitted prior art and Sekikawa in having the holding unit with bottom surface opened, as per teaching of Robb or Maruyama, in order to make the directly contact to the printed circuit board.

Regarding claim 5, Applicant's admitted prior art discloses the second component holding unit configured to hold a receiver (3, figure 11).

Regarding claim 6, Sekikawa discloses the second component holding unit configured to hold a display device (4, figure 3 and abstract).

Regarding claim 7, Applicant's admitted prior art discloses the holder formed with resin by integral molding (figures 11-12), as well as Sekikawa (abstract).

Regarding claim 8, Applicant's admitted prior art discloses the holder for holding a variety of devices on a board within a portable telephone (page 1 lines 6-8), as well as Sekikawa (abstract and detailed description).

Regarding claim 9, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 10, Applicant's admitted prior art teaches the first and second component holding units (20, figure 12) being disposed next to each other adjacent to an upper region of a third component holding unit for holding a display (5, figure 12). Although Applicant's admitted prior art does not specifically teaches the first and the third component holding units being connected to each other, Sekikawa teaches a holding unit (7, figure 3) to hold a display (4, figure 3), in connecting with a second holder part (5, figure 3) for holding a second

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component, wherein the first holder part and the second holder part are integrally molded (abstract and detailed description) as a single piece in order to reduce components mark and makes easy to position and assembly of each part material. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Applicant's admitted prior art in having the first and the third component holding units being connected to each other, as per teaching of Sekikawa, because it reduce components mark and makes easy to position and assembly of each part material.

Regarding claims 11-12, the limitations of the claims are rejected as the same reasons set forth in claims 3-4.

Regarding claim 13, the limitations of the claim are rejected as the same reasons set forth in claim 5.

Regarding claim 14, the limitations of the claim are rejected as the same reasons set forth in claim 7.

Regarding claims 15-17, the limitations of the claim are rejected as the same reasons set forth in claim 8.

#### ***Response to Arguments***


5. Applicant's arguments with respect to claims 2-17 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is (571) 272-7495. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
George Eng  
Primary Examiner  
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